

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
UNITED STATES COURTHOUSE
700 STEWART STREET
SEATTLE, WASHINGTON 98101

ROBERT S. LASNIK
DISTRICT JUDGE

(206) 370-8810

August 1, 2018

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Delivered Via CM/ECF

RE: Whittier v. Seattle Tunnel Partners, C17-0751RSL
Stipulated Protective Order

Dear Counsel:

On July 31, 2018, the Court received your proposed “Stipulated Protective Order.” Dkt. # 55.

Pursuant to Fed. R. Civ. P. 26(c), protective orders may be entered to protect parties from annoyance, embarrassment, or undue burden or to protect confidential commercial information. Such protective orders may issue upon a showing of good cause.

Although parties may agree on confidentiality among themselves, when they request that the Court be involved, the proposed order must be narrowly drawn, identifying both the type of information that is to be protected and, if not obvious, the reason such protection is warranted. The order must also comply with the applicable federal and local procedural rules.

The agreed protective order submitted in this case is deficient because it is too broad and gives too much discretion to the parties to designate information as “confidential.” The order mentions certain categories of documents which may be protected from public view, but those categories are simply examples and do not limit the scope of the order. Rather, the parties have included a catch-all provision treating all “commercial”

information as “confidential.” Any protective order entered by the Court must clearly identify the class or type of documents subject to the order and the need for confidentiality

The agreed protective order received by the Court will remain lodged in the file, but will not be entered. The parties may resubmit a proposed order if they remedy the deficiencies identified in this letter.

Sincerely,



Robert S. Lasnik
United States District Judge